

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TROY L. SOUTHWARD, ) 8:07CV237  
                          )  
Plaintiff,            )  
                          )  
v.                     )  
                          )  
DOUGLAS COUNTY       )  
CORRECTIONAL CENTER, )  
                          )  
Defendant.            )

**MEMORANDUM  
AND ORDER**

A court order entered July 19, 2007 directed Plaintiff to take two actions on or before August 20, 2007: (1) submit an amended complaint which clearly identifies the defendant or defendants and clearly indicates the nature of the claim and the relief sought and (2) either pay the full filing fee or submit a new, properly completed, application to proceed without prepayment of fees together with supporting affidavit. (Filing 8.) That order warned that this action would be dismissed without further notice in the event of noncompliance.

Plaintiff has failed to take either action required by the court's July 19, 2007 order. Accordingly, pursuant to the terms of that order (filing 8), Fed. R. Civ. P. 41, and NECivR 41.1, the court finds that Plaintiff's claims against Defendant should be dismissed without prejudice.

**IT IS ORDERED:**

1.     This case is dismissed without prejudice; and
2.     Judgment shall be entered by separate document.

August 24, 2007.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge